

EXHIBIT

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The Colombian Drug Trade: An Examination of Policy, Politics, and War

Abstract:

The policy to fight a "war on drugs" has failed time and time again. Plan Colombia will fall under scrutiny as politicians in Washington and Bogotá discuss its future at the end of its planned existence, due in September of 2005. It is clear supply-side strategies do not work. Increased militarization leads to violence. Policy makers must focus on demand reduction strategies, multilateralism, and conflict resolution strategies to end the Colombian crisis. It is clear the continued pursuit of military solutions to social problems does not bring peace and development, supposedly a sought after goal for decades.

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South American Drug Trafficking
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Introduction

Colombia is a bastion of learning, culture and history. It is also one of the most violent countries in South America. She receives by far the most international aid and political support of any Latin American nation. Such a disproportionate amount of attention, over the decades, should manifest an improved social condition, good governance, and a strong democracy. Sadly, this is not the case. Colombia, in 2003, represents a threat to security as much as an embarrassing failure on the part of both Colombian and United States politicians, government officials, and contractors to implement thoughtful, effective policy.

Corruption is as much to blame as partisan politics. In South America's oldest democracy, an elite class of Spanish descendents has successfully incubated the longest running parody of constituent service. The Colombian government (GOC) might have collapsed under the weight of its own blunders if the United States government (USG) had not intervened in the name of patronage and national security. Conversely, USG involvement has intensified the violence, and, in some cases, directly contributes to the *ongoing social malaise*. Drug addiction, narrow-minded politics, a disregard for human security and biodiversity, terrorism, and war characterize the modern relationship between the US and Colombia.

Since Simon Bolivar first sought official recognition for Colombia from President John Monroe in 1817, the USG has been involved in Colombian affairs.¹ Americans are demanding on their Colombian cousins. It was a canal in the 1890s. For over four decades, since the 1970s, it has been illegal drugs. In

¹ Ruiz, Bert. The Colombian Civil War. Jefferson, North Carolina: McFarland, 2001, 189-191.

2004 it is cocaine and heroine. For Panama the Colombians received little more than indignant stewardship. The supply and demand of cocaine and heroine defines this relationship today.

Billions of dollars spent over decades of military and developmental aid have kept the Colombian democracy afloat but at great cost to the majority of Colombians and to all US taxpayers. The politicians in both Washington and Bogotá have little to show for vast sums of government expenditure and political currency, packaged and labeled to fight a "War on Drugs" and now a "War on Terrorism." After an examination of the relationship between the people and politicians of these two countries, it is no surprise that the social situation in Colombia has worsened, while coke-fueled parties in the United States only last later into the night. Politicians on both sides continue to resist making necessary sacrifices.

The USG must seriously examine its dysfunctional relationship with Colombia. Its politicians, officials, and officers must realize that within the constituencies they represent there are thousands of individuals who directly affect Colombian coca farmers when they buy a gram, ounce, or kilo of Colombian cocaine or heroine. US-promoted supply-side programs, such as fumigation and alternative crop development, are not effective when poised against basic laws of economics. Demand drives supply. A sober look at a serious domestic demand problem is long overdue for US - and other OECD country - politicians. With demand for cocaine and heroine on the rise in the United States, Brazil, and Europe, there will always be supply. Some Colombians will continue to find a way to meet demand and profit, while the majority will continue to endure poverty and hunger.

This paper will begin with a background discussion of the various aspects of the Colombian drug trade. It will then discuss principle actors within the drug trade, including bosses within the Cali and Norte de Valle mafias. A brief review of the politics and policies in both the Colombian and United States' governments will then follow. Analysis and conclusion sections will conclude the report.

- Background -

The international drug trade evolves so fast that the USG and other governments can't keep pace. It has established robust production centers, sales pipelines, international transportation, and distribution logistics. Support services such as money laundering and the illicit procurement of firearms, ammunition, and supplies are institutionalized. Corrupt politicians, security officials, and military officers facilitate every step of the way. They ease the movement of chemicals and guns, cover-up illegal activity, and ensure immunity from justice for criminals. In South America, the Colombian cocaine trade has become a black market so powerful that it threatens not only the stability of the Colombian government, but also the entire Andean region.

The presence of drug mafias in Colombia exacerbates deep rooted problems of poverty, hunger, inequality, land distribution and economic opportunity. Growing coca is the only feasible opportunity for many Colombian farmers. Colombian revolutionary armies continually conscript willing peasants into their ranks. Those who live on the margin of society in urban centers such as Bogotá, Medellín and Cali, join a local militia and receive a regular paycheck. The government and private sector cannot compete. The Colombian drug trade has formed an aperture of economic opportunity and human dignity

within an illicit market whose existence erodes all possibilities of legitimate work or lifestyle for the majority of Colombians.

Drug mafias have exacerbated Colombia's civil war by indiscriminately funding both rebel and paramilitary armies. As differences in ideology and point of view strained relationships between drug bosses and rebel forces, paramilitary organizations have evolved into permanent fixtures within vertically integrated drug mafias. Mafias have enough purchasing power to recruit, train, and arm private soldiers. Paramilitaries have a constant need for funding and an affinity for criminal enterprise, so long as they are able to continue their struggle against Colombian rebel forces and the alleged peasants who support them.

Paramilitary commanders have muscled their way into the drug trade and work side by side with mafia bosses to protect farms, cocaine labs, airstrips, and sea ports. The result is a seamless merger between the two. These "mafia militias" represent a new dimension of security threats. It is not a stretch to recognize that Colombian "terrorist groups" have captured an endless source of funding to promote insecurity, violence, instability, and a worsening human condition in South America.

Immense earning power and clandestine ties with international criminal organizations connects Colombian drug mafias with a global network. With their monopoly over the world cocaine market and control over vast acreage of lawless territory, Colombian drug mafias have attracted international business interest from Russian and Chinese organized crime, as well as known terrorist organization al-Qaeda.² The current links between Colombian drug trafficking organizations and a growing international

² Jane's Information Group, "Al-Qaeda's Drug-running Network," February 1, 2004.

network of suppliers, smugglers, mercenaries, and financial agents projects economic and social malaise worldwide.

The bosses of present-day drug mafias do not seek recognition or political power like their predecessors. Their organizational structure is horizontal, a network of loosely-associated groups that operate independently throughout Colombia and the greater Andean region. Many groups are vertically integrated and manage every step of the cocaine procurement chain, from farming to packaging. They outsource services to Mexican criminals, who specialize in smuggling into the United States and distribution into her cities. Colombian drug mafias now number in the dozens. They are decentralized, small, and independent. Most of them remain unknown, as does daily communication with a whole host of criminal enterprises that seek to squeeze Colombia for all its worth.

- Colombian Drug Mafias -

The origins and development of the Colombian drug trade stem from a taproot deeply planted in a history of violence, corruption, elitism, and family-owned business. Colombian criminal organizations, or mafias, entered the drug trade through growing and selling marijuana in the sixties, when there was still a profit to be made by selling marijuana to US dealers. As an increase in the domestic production of marijuana in the US and elsewhere shaved profit margins, Colombian drug organizations entered the cocaine trade. By the mid-seventies, Colombian drug organizations were well established. Business was bustling. With dozens of well-placed civil servants on their payroll drug organizations operated with near impunity in Colombia. They used four-engine airplanes and large vessels to transport tons of cocaine and marijuana north to the US well before Washington politicians considered Colombians like Pablo Escobar a problem.

Pablo Escobar, Jose Rodriguez Gacha and the Ochoa brothers formed the Medellín mafia when the Ochoa brothers joined forces with Pablo Escobar to seize a monopoly over cocaine shipments leaving Colombia for the US. With calculated killing and strategic alliances, Pablo Escobar achieved virtual control over the export of cocaine out of Colombia. He was known to invite smaller cocaine producers and other individuals not involved in the drug trade to contribute and invest in his large shipments.³ If the shipment was lost, he would reimburse all involved. Conversely, everyone won when Pablo made money. This gatekeeper strategy has been passed from one drug mafia boss to the next. Each one has allowed smaller organizations, friends, and relatives to contribute.

With the consolidation of Escobar's organization in the early 1980s the modern age of drug trafficking in Colombia began. Escobar's virtual control over cocaine shipments out of Colombia and increasing USG involvement to stop him quickly became a focus. This new era may be separated into three phases. The first phase, Pablo's war, will be placed in the appendices.⁴ The second and third phases will be discussed below.

The first phase lasted 12 years, from 1981 to 1993. It encompasses the rise and fall of Pablo Escobar and the rise of the so called "Calí Cartel," led by the Rodriguez Orejuela brothers. Drug bosses' preference for self-incarceration to avoid extradition under the Gaviria administration (1990-1994), became apparent toward the end of the first phase. The second phase lasted four years, from 1994 until 1997. In this phase we see reorganization of the Calí mafia, formation of the Valle de Norte mafia, and a sporadic uprising of small drug trafficking organizations throughout Colombia. The final phase began in 1997

³ Duzán, María Jimena. Death Beat: A Colombian Journalist's Life Inside the Cocaine Wars. Translated by Peter Eisner. New York: Harper Collins, 1994, 28-29.

⁴ See Appendix A.

and continues to the present day. So far in this phase, we have seen an accelerated internationalization of the Colombian drug trade, an increase in heroine production, evidence of a seamless merger between drug trafficking and paramilitary organizations, and institutionalized involvement of Mexican mafias.

Although the new era carries tendencies toward bloody acts of terrorism, rampant bribery, kidnapping of politically exposed persons, and uncontrolled killing, modern drug trafficking in Colombia contrasts against its past (pre-1980s) for two reasons. First, US involvement in Colombian affairs has reached unprecedented levels. In 1990, when then president Bush (1990-1994), announced the "Andean Initiative," he signed off some \$76.2 million in aid to Colombia, a 900 percent increase compared to the total sum of all prior aid sent to Colombia.⁵ Second, the FARC and other revolutionary forces, which were looked upon by drug mafia organizations as helpful protection in the sixties and seventies, have been largely phased-out by drug mafias that now prefer to work with paramilitary forces. This rift began with the M-19 kidnapping of a drug lord's sister in the early 1980s. It forever changed the relationship between revolutionary forces and drug mafias.

The Cali Mafia: 1993-1997

With the death of Pablo Escobar on December 2, 1993, the Medellín cartel definitively disbanded. Soon after the upper echelon of Colombia's drug trafficking organizations experienced a power shift. This allowed the Cali mafia to consolidate its control over the shipment routes formerly controlled by Escobar. It is a clear example of the so-called "hydra effect," named after the mythical nine-headed beast that grows another head as soon as one is chopped off. The Greeks believed one head to be immortal. Colombia's drug organizations, at the down-fall of the Medellín mafia, proved their hydra-

⁵ Duzán, 182.

like qualities when the Cali mafia bosses quickly filled the power vacuum left by the killed, jailed, and extradited Medellín mafia bosses. The effect was so great and swift that DEA agents working in Colombia to bring down Pablo Escobar realized, in the early 1990s, that by hunting down Escobar, they were aiding in the rise of the Cali mafia's power.⁶

More than any other difference between the Medellín and Cali mafias, the means of controlling the Colombian judiciary and the Cali mafia's preference for less violence separates the two organizations. Escobar preferred to begin with a bribe. If it was not taken, he simply killed the target. This tendency led to the infamous "plata o plomo" ultimatum that describes Escobar's preferred method of manipulation. The Cali cartel, however, preferred to first use its legion of lawyers, clerks, and legal pawns to take advantage of Colombia's strained judicial system. When legal loopholes could not be exploited, bribery was almost always successful.⁷

When retired DEA agent Joe Toft gave a televised interview with a leading Colombian news channel in which he denounced then President Ernesto Samper (1994-1998) for having received millions in contributions to his presidential campaign from members of the Cali mafia, he uncovered the extent to which mafia bosses had attempted to buy Colombian politicians. Samper denied the claims, but many, like Toft, were convinced that the Cali mafia had bought selective, key positions within the Samper government all the way to the top. In the early nineties, corruption was still a major problem, "just huge," and at times seemed insurmountable.⁸

⁶ Joe Toft, DEA Bogotá station chief 1990-1994, interview with author, March 11, 2004.

⁷ Eduardo Mendoza, Colombian vice-minister of Justice, 1990-1994, interview with author, March 26, 2004.

⁸ Joe Toft, interview with author, March 11, 2004.

In 1994, the center of Colombian drug trafficking activity was in Cali. The new mafia in town, run by Gilberto and Miguel Rodriguez Orejuela, was more sophisticated, business savvy, and less prone to use violence. There was a tendency to focus more on the control of shipment routes. They built relationships with Mexican mafia organizations to distribute into the US. The Cali mafia depended more on paramilitary groups and less on rebel forces to provide coca paste, the fundamental ingredient for cocaine.

Like Escobar, the Rodriguez Orejuela brothers focused on controlling the transshipment routes out of Colombia. They invited small and mid-sized drug organizations and other investors to participate in each export. Members of the Cali mafia also developed shipping routes through Central America into Mexico to mitigate the increasing risk of smuggling contraband into the US through the Caribbean.

The Rodriguez Orejuela brothers employed Helmer Pacho Herrera as their money laundering chief. Herrera kept busy with investing Cali mafia earnings into real-estate and various business interests.⁹ Aside from his money laundering duties, Herrera helped with managing New York sales. He employed his brothers, cousins, and other confidants to help store, move, and distribute Cali-mafia controlled shipments to New York. Another high ranking member of the Cali mafia, Jose Santa Cruz, known as "El Chepe," organized shipments to Philadelphia, San Francisco, Houston, and New York. Together with the Rodriguez Orejuela brothers, Herrera and El Chepe were the four Cali mafia bosses.¹⁰

The Cali mafia did not make war against the state. Unlike Escobar, Cali mafia bosses felt no need to "prove themselves" to the Colombian upper class because they were part of the rural elite. The drug

⁹ Dario Fritz, "Los Otros Capos Colombianos," Agencia InfoLatina, 23 January, 1997.

¹⁰ Ibid.

trade was simply a business, just like cattle ranching, for these rural land owners. So, in 1995, under US and Colombian government pressure, the Rodriguez Orejuela brothers and Helmer Herrera simply turned themselves into Colombian authorities. They knew that while their legal cases were still in Colombian courts, they could manipulate the proceedings, while residing in the relative comfort and safety of a Colombian jail.

Choosing jail over extradition, by 1995, was en vogue with high-profile drug traffickers. President César Gaviria had instituted an amnesty for drug dealers during his administration (1990-1994). In exchange for turning themselves in to Colombian authorities notorious drug dealers could wipe clean their record and avoid extradition to the US. From prison, they were sure to lose their grip on power within the drug trade, but in exchange they would serve no more than five years, and come out of prison clean and rich. The Ochoa brothers had proven it could be done.¹¹ Herrera, as an exemption to the rule, died while serving a reduced sentence.¹²

With the Rodriguez Orejuela brothers in prison, and Herrera dead, another hydra shift occurred. Pablo and Roberto Rayo Montano took control of the Cali mafia. The Rayo Montano brothers had been next in line to seize power of cocaine export routes. At the top of the Cali mafia the Rayo Montano brothers continued with business as usual. Joining the Rayo Montano brothers, Victor Patino Fomeque and Juan Carlos Ramirez Abadia also became Cali mafia bosses.¹³

¹¹ Pilar Lozano, "Sale en libertad el 'capo' colombiano Jorge Luis Ochoa; La política de beneficios penitenciarios lleva a la calle a miembros del cartel de Medellín," El País, 6 July, 1996, pg. 4.

¹² Spanish Newswire Service, "Colombia - Narcotráfico ex jefe cartel de cali salió de prisión tras cumplir condena," Spanish Newswire Service, 14 August, 2001.

¹³ Pilar Lozano, *ibid.*

The Colombian National Police, supported more than ever by the USG, kept up the pressure even after the Rodriguez Orejuela brothers and Herrera were out of the picture. By 1996 the drug organizations, closely tied to large land owning families, had spread beyond the city of Cali into the Norte de Valle region, as one by one high-profile Cali mafia bosses turned themselves into authorities to avoid extradition.

In Norte de Valle a new boss Jose Orlando Henao Montaya had partially seized power by 1996. As self-imposed prison sentences shook the Cali mafia power structure, Montaya was able to wrest some control from the Cali bosses to establish a power structure based in Norte de Valle, but he was unable to consolidate his control before choosing to enter prison himself on September 29, 1997. Upon entering prison, Montaya handed the reigns to three family members, who officially formed and consolidated power centered in Norte de Valle.

Norte de Valle Mafia – 1997- Present Day

The Norte de Valle mafia is a network of friends and relatives from the Colombian department of Valle del Cauca located some 300 kilometers southwest of Bogotá. Its capitol city is Cali. Hernando Gomez, Arcangel de Jesus Henao, Jario Varela, and Diego Montaya are the undisputed Norte de Valle bosses; they find strength in their ties to the Colombian paramilitary forces, which have traditionally occupied the Valle del Cauca countryside. Many Valle de Norte bosses were once part of the more militant members of the Cali mafia, who took to the new mafia strong ties to paramilitary forces.¹⁴

¹⁴ Deutsche Presse-Agentur, "Colombia: Narcos anuncian a Uribe disposición de someterse a justicia," Deutsche Presse-Agentur, January 12, 2003.

Long-standing ties to Mexican organized crime originated with Norte de Valle founder, Jose Orlando Henao Montaya, and his family. Norte de Valle bosses learned from their days with the Cali mafia that the Mexicans were more adept at smuggling. Unlike their predecessors, Norte de Valle bosses focused more on production and less on distribution, leaving that to the Mexicans. Additionally, the proliferation of smaller drug mafias in Colombia has provided constant supply for the Norte de Valle bosses that still control well established export routes to the US and Europe.

Investment in the Colombian heroine trade is a third characteristic of the Norte de Valle mafia. Mafia bosses find heroine to be much more lucrative than cocaine and easier to slip through international interdiction efforts. With strong security and direct ties to Mexican smugglers, Norte de Valle heroine producers have established a strong market share of the heroine trade in the US. Current efforts to stem the flow of heroine out of Afghanistan are sure to open more market share for the taking. More than any other attribute, the Norte de Valle mafia's close ties to paramilitary forces exemplifies the present day seamless merger between drug trade bosses and paramilitary leaders.

According to many reports, Jose Montaya's top lieutenant, Arturo de J. Herrera, has had close relations with paramilitary forces. Also known as "Bananas" J. Herrera is a paramilitary leader who took advantage of his position to become a respected member of the Norte de Valle mafia.¹⁵ Unlike the Cali and Medellin mafias, the Norte de Valle mafia consider USG efforts to fumigate coca crops a constant threat more problematic, at times, than the random rebel attacks that left mafia labs in ruins. It focuses on the protection of its farms and labs. The resulting need for armed men and good training continues to bring the drug trade closer to Colombian paramilitary groups and the multitude of militia men they control.

¹⁵ Irma Rosa Martinez, "Carteles Cocaina Colombia," Agencia InfoLatina, 7 October, 1997.

Significant efforts to dismantle the Norte de Valle mafia have netted results, despite the mafia's close ties to strong paramilitary forces. March 3, 2004 saw some 120 CNP agents organize and implement the arrest of five individuals who worked full time to manage the Norte de Valle mafia revenue. Reports suggest that this small group "washed" up to 800 million dollars a week.¹⁶

Law enforcement captured Archangel de Jesus Henao in Panama. He has been extradited to the US. His close aid, Ruben Ospina, who oversaw money laundering for Henao, was captured in a CNP-DEA joint operation. On 4 March, 2004, authorities captured Ospina, along with 15 other drug traffickers, in Medellin.¹⁷ He awaits extradition to the US. Already extradited in February, 2004, were Eduardo Pinea, a Norte de Valle mafia heroine boss, and Ramiro Zuluaga, a principle "financial agent" of for the Henao Montaya family.¹⁸

On 2 April, 2004, the CNP concluded operation "Blue Hill," executed to deliver a significant blow to the Norte de Valle mafia. They seized some 2,500 kilograms of coca paste, 800 kilograms of processed cocaine, 1.5 tons of marijuana, and 9.5 tons of chemicals used to process coca paste into cocaine powder. Additionally, authorities captured two cocaine processing labs, where it is believed there could be produced three tons of cocaine powder per week and could be housed up to 45 lab workers at once.¹⁹

¹⁶ Xinhua News Agency, "Desactivan bandas que financiaban narcotraficantes en Colombia

¹⁷ Deutsche Presse-Agentur, "Colombia: Autoridades capturaron a importante testaferro de cartel," Deutsche Presse-Agentur, March 4, 2004.

¹⁸ Xinhua News Agency, "Extraditados cuatro colombianos a Estados Unidos por drogas," Xinhua News Agency, February 7, 2004.

¹⁹ Autoridades caputaron, *ibid.*

Between January and March of 2004, Colombian authorities have seized six shipments of Norte de Valle cocaine, a total of 18 tons of processed cocaine powder.²⁰

The biggest bust the CNP and DEA have orchestrated occurred on March 11, 2004, when authorities seized over \$100 million in assets from Norte de Valle heroine boss Luis Hernando Gomez Bustamante. According to reports, Bustamante controls 30 to 50 percent of the heroine that the Norte de Valle ships north.²¹ He, along with Diego Montaya, are two of the most sought after mafia bosses in Colombia today.

It is clear, however, that even as authorities work to dismantle the Norte de Valle mafia, there are other individuals and groups ready to jump at the chance for a "boss" position. As more evidence surfaces that directly links drug mafia bosses to the paramilitaries, it becomes more important to focus on disarming, demobilizing and reintegrating the paramilitary forces. Until they are removed from the equation, neither the drug mafias nor Colombia's rebel insurgencies will capitulate.

- The Paramilitaries -

Ruthless, merciless, and horrific have all been used to describe inhumane acts committed by members of the rural militia forces of Colombia. Collectively the Autodefensas Unidas de Colombia (AUC) are separate "blocks" of militia soldiers under the command of one or more generals. Exemplified by the hobbled disarmament talks currently underway between paramilitary political leader Carlos Castaño and

²⁰ Deutsche Presse-Agence, "Colombia: Armada se incauto de 18 toneladas de cocaína en dos meses," Deutsche Presse-Agence, March 6, 2004.

²¹ EFE News Services, "Colombia-Drogas: Intervenido imperio económico de 'capo' de ultimo gran cartel," Spanish Newswire Services, March 11, 2004.

the GOC, it is clear the AUC does not control all of Colombia's militia forces.²² Like small drug organizations, militia blocks operate independently of one another within a loose network. The AUC actually controls only a limited number of paramilitary blocks. Many, smaller blocks have merged with drug mafias that have found solace in funding the creation of private militias for security.

Modern militia gangs intimidate, torture and kill Colombian peasants; they assassinate politicians and journalists; and, they carry out acts of terrorism. They do the dirty work for disgruntled land owners, politicians, and military officers who want to kill or intimidate Colombia's revolutionary forces and others. Highly trained militia soldiers protect coca plantations, help transport coca paste, and protect labs where workers chemically reduce coca paste to blocks of cocaine powder. Modern commanders, who control both the rank and file and the highly trained militia soldiers, deal directly with drug mafia bosses. These bosses purchase coca paste, protection, and other services such as intimidation, assassination, or acts of terrorism. In some cases, militia generals are drug mafia bosses who have become more militant to capitalize on the rural poor who often have little other choice than to take a good salary in exchange for paramilitary service.

As a whole, the Colombian paramilitary blocks represent the most threatening force of armed soldiers in the Western hemisphere. Like the private armies of Afghan warlords, they are funded by money made on the insatiable global demand for illegal drugs. Their close ties with the drug trade ensure professional training and equipment, war-grade firearms, explosives and munitions, and modern technology for communications and logistics.

²² Stratfor, "Colombia: Uribe in Corner over AUC Disarmament?," Strategic Forecasting Inc., March 8, 2004.

These militias are relatively immune from the Colombian government for many of the same reasons drug mafia bosses have resisted persecution in Colombia and extradition to the United States. They have always colluded with Colombian elite, who have a practical interest in protecting their lands from rebel incursion. High-ranking military officers, who share similar conservative politics as the rural land owners, have historically supported rural militias and paramilitary groups. The rural land owners initially found political currency in Bogotá by claiming their militias would help the armed forces protect the State from Communist insurgencies in the nether reaches of Colombia. The relationship based on this ideology will continue as long as Colombia's rebel forces exist.

The paramilitaries have two serious threats: the rebel insurgency and the United States government. The USG, however, is more focused on extraditing the big fish of the drug trade, eradicating Colombia's revolutionary forces, and fumigating as many coca farms as possible. This strategy sends the Colombian army and national police on the hunt for FARC forces and drug mafia bosses, respectively. Today, the GOC is more aggressive than ever.²³ Colombian armed forces constantly threaten revolutionary forces, allowing AUC soldiers even more room to operate. Taking the fight directly to the paramilitaries with the Colombian national police or military units is a sensitive political issue because the GOC has a long history of aiding and abetting militia forces in over forty years of fighting Communist subversion within Colombian borders. Some in the GOC still believe the militias serve a purpose to help contain FARC and ELN influence in the countryside.²⁴

²³ Stratfor, "Plan Colombia: Near Sighted Solution to Long-Term Problem?," Strategic Forecasting Inc., March 31, 2004.

²⁴ General Henry Medina Uribe, retired from second in command of Colombian Armed Forces, interview with author March 23, 2004.

Formally abandoned by the GOC in 1989 with a presidential decree from then Colombian President Barco (1986-1990), Colombia's modern-day militia forces had little other option but to turn to the drug mafias and rural land owners to fund their anti-leftist operations.²⁵ Now, as drug organizations become more numerous and spread through out Colombia, militia forces are increasingly in demand.

Until the early 1980s, Colombia's militia groups had little to no involvement with the drug mafia organizations. The organization of the MAS (Muerte A Sequestradores) militia, which was formed to force the M-19 rebel group to return a sister of the Ochoa brothers, was the first time a drug mafia used a militia group to do its dirty work. In the early 1990s the Ochoa brothers, Jose Rodriguez Gacha, Carlos Castaño, and others financed another militia group called "Los Pepes" (People Persecuted by Pablo Escobar in Spanish) to help the GOC and USG capture and kill Pablo Escobar. Los Pepes financier, Jose Rodriguez Gacha, had come to control a large paramilitary force in the northern Colombia province of Magdalena in 1986 to protect his vast cocaine laboratories and illegal emerald mines from the FARC, Cali mafia rivals, and others.²⁶ Throughout the 1980s, Escobar and the Ochoa brothers employed militias, formed by Medellín slum gangs, to do their dirty work. The same Medellín militias have been blamed for some 8,000 assassinations of leftist politicians in 1988 and 1989, as well as a host of terrorist attacks.²⁷

Since the birth of MAS, drug mafia bosses have referred to paramilitary militia forces for security, assassination, and terrorist services. Over the years, drug mafia bosses have become more and more involved with the paramilitaries to the point where, in some cases, there is no difference between a

²⁵ Human Rights Watch, "Human Rights World Report 1989," (New York: Human Rights Watch, 1989), downloaded on April 14, 2004 from <http://www.hrw.org/reports/1989/WR89/Colombia.htm>

²⁶ Duzán, 107.

²⁷ Human Rights Watch, *ibid.*

Colombian drug boss and a Colombian paramilitary commander. The story of Diego Fernando Murillo, also known as "don Berna," illustrates how close the drug trade is to the paramilitary forces.

For over a decade Don Berna was a loyal member of the Medellín cartel. He shifted loyalties in the early 1990's as the hunt for Pablo Escobar escalated. He defected from the Medellín mafia, with Rodriguez Gacha and the Ochoa brothers, when he joined Los Pepes. When the Medellín mafia dissolved, don Berna aligned himself with the Cali cartel.

Don Berna shifted loyalties again when the Cali cartel phased-out in the mid-1990s. He joined "La Terraza," a Medellín-based street gang that eventually took control of the local cocaine trade in Medellín. He moved again at the end of the 1990's, when he sought refuge in the Uraba department near Panama. He joined the paramilitaries and former militia members of Los Pepes who were willing to protect him.²⁸

As a member of the paramilitaries, don Berna quickly rose through the ranks under the nome de guerre, "Adolfo Paz." Presumably, his close ties to the drug trade gave him leverage to rise quickly to the top of the local chain of command. By 2001, nearly a decade after leaving Pablo Escobar's Medellín cartel, don Berna formed the Nutibara Block, a Medellín-based militia force. With both paramilitary and drug mafia ties, don Berna represents a modern-day drug mafia boss, whose "influence eased the paramilitaries' almost seamless merger with the drug trade."²⁹

²⁸ Adam Isacson, "The New Face of 'Peace' in Colombia," Center for International Policy, Colombia Program, January 2, 2004.

²⁹ Isacson, *ibid.*

Such mergers between Colombia's paramilitary militias and various small and mid-sized drug mafia organizations directly contributed to a three-fold increase in militia strength and number.³⁰ Within the context of a new breed of AUC leadership, don Berna represents an exemplary case of AUC leadership evolution and drug mafia boss innovation.

Moreover, don Berna's movements and loyalty shifts exemplify how a vacuum of power within drug organizations allows for middle-men to move up and learn from the mistakes of their predecessors. He is now considered a top paramilitary commander.³¹ This hydra-effect has plagued Colombian and US politicians for years. For over two decades they have moved from killing Pablo Escobar, to dismantling the Cali cartel, to present-day efforts against the Norte de Valle mafia and a new breed of the 84 small and numerous Colombian drug mafias believed by the USG to be operating in Colombia.³² Now the plot has thickened because USG efforts to reduce the supply of cocaine will only become more militarized. The USG considers paramilitary forces terrorists, therefore deserving of the same treatment bestowed upon Colombia's relic revolutionary forces, the FARC and the ELN.

- The Politicians -

Systematic corruption has repeatedly brought the government of Colombia to its knees. Forced between taking money or a bullet from Pablo Escobar often simplified the decision to take a bribe. The Cali mafia employed legions of lawyers to ensnare the courts by using legal loop holes that took advantage of Colombia's hobbled judicial system. After decades of bribes paid to policemen, clerks, judges, politicians, and generals, corruption has all but become a norm within the organizational culture of

³⁰ Scott Wilson, "Commander of Lost Causes," The Washington Post (Washington: July 6, 2003)

³¹ Stratfor, "Did AUC Chiefs Order Castaño's Death?," Strategic Forecasting Inc., April 30, 2004.

³² Stratfor, Nearsighted Solution, *ibid.*

Colombian government. It is a historic challenge that must be met before the Colombian government can begin to repay its debts after decades of failing to uphold its end of the social contract with all Colombians.

When the US Drug Enforcement Agency (DEA) Administrator Peter Bensinger met secretly in July, 1977 with then Colombian President López to warn him of the growing threat drug organizations presented to Colombia, Benisnger was all but ignored. He had presented President López a US-prepared report listing the names and positions of high ranking government officials believed to be on the payroll of Colombian drug organizations. At the time President López was not interested in allowing the USG a voice in Colombian affairs.³³

Julio César Turbay won the Colombian presidency in 1978. By then drug mafias had already established themselves as a power in Colombia. Taking advantage of a new relationship with the GOC, the USG pressured President Turbay to act against known drug organizations. Soon after President Turbay passed the Public Safety Law. It unleashed a wave of violence as the Colombian military went on the offensive against known Colombian revolutionary groups the FARC, ELN, and the M-19 with a newfound level of impunity. The GOC targeted revolutionary forces because it was widely believed among USG policy makers at the time that the Latino Marxists and Maoists were the real drug trade protagonists, not Democracy-loving Colombian citizens. GOC politicians knew otherwise.

President Turbay was impotent to act directly against the drug mafias because rampant corruption in the Colombian government had already weakened political resolve. So he appeased the USG by attacking revolutionary forces, the clear and present Communist danger. At the time it was a savvy move to make

³³ Ruiz, 164.

the USG happy while not bringing more attention to Colombia's growing problem with the powerful drug mafias. The strategy to allow the USG believe the revolutionaries were intimately involved with drug trafficking took heat off of corrupt Colombian politicians and military officials, thereby allowing president Turbay to appease the USG while not inflaming sensitive politics at home. Colombian presidents since Turbay have faced similar challenges. Forced into a wedge between USG demands and domestic politics, a long line of Colombian presidents has reckoned with the balance between a weak democracy at home and an overbearing one to the north.

Since the earliest days of USG history it has been intimately involved in Colombian state affairs. Manifest destiny drove President Theodore Roosevelt to finagle Panama from Colombia over a half-built canal in the name of national security. Many electoral cycles later President Ronald Reagan, in 1986, declared that drugs - crack and cocaine - on US streets contributed to a National Security problem.³⁴ President Reagan directed a considerable amount of his foreign policy to Colombia, where he believed a front line in a war against not only Communist subversion in the Western Hemisphere, but also drug trafficking, had formed. Former CIA director, and then Vice President to Ronald Reagan, George H.W. Bush, presided over the conception of a foreign policy designed to rid US society of crack-cocaine, and strengthen democracy in Colombia.

As president, George H.W. Bush (1990-1994) initiated the "Andean Initiative" with a draw down of defense stockpiles and \$65 million in military aid and equipment.³⁵ His response to then Colombian president Barco's 1989 declaration of war against drug trafficking delivered the political currency he needed in Colombia to escalate US presence there. The Andean Initiative evolved into a de facto war on

³⁴ Carpenter, Ted Galen. *Bad Neighbor Policy: Washington's Futile War on Drugs in Latin America*. New York: Palgrave Macmillan, 2003, 6.

³⁵ Human Rights Watch, *ibid*.

drugs, whereby USG efforts through the early nineties largely focused on attacking the supply of cocaine through directing funds, military training, and equipment to the Colombian armed forces and national police with strict orders that all aid should be used only to fight narco-traffickers.

Within Colombia the narco traffickers continued to corrupt a large amount of officers in the Colombian armed forces. During the early 1990s, when Pablo Escobar was on the run from the Colombian National Police, he repeatedly evaded capture because he had received last minute information. It was widely believed that while half of the armed forces were looking for him, the other half was protecting him.³⁶

Corruption in the Colombian military and police forces, the military's relationship with paramilitary forces, and its historical freedom from civilian oversight, has been a chronic problem for USG officials looking for trustworthy colleagues. Within this difficult working environment human rights concerns have further complicated relations between US and Colombian colleagues. A relationship at the presidential level was never so warm, however, as that between Colombian president Andres Pastrana (1998-2002) and US president William Jefferson Clinton (1992-2000).

By 1998, Colombians simply wanted an end to the violence. Pastrana won the presidency on a peace ticket, convincing a majority of Colombian voters that he would make peace with the FARC. In the wake of such a momentous peace agreement, many other Colombian ills would see a peaceful conclusion, and the country would finally be able to move forward, no longer squeezed between a civil war and the drug war.

³⁶ Duzán, 189.

In Washington, President Clinton received Pastrana with all the pomp and circumstance due to an important dignitary. He publicly supported Pastrana's bid to make peace with the FARC. In Colombia, hopes were high, and everyone sat on edge, awaiting the first of a series of negotiations between the FARC high command and President Pastrana. December 1998 was a tense month as the GOC continued to make public its intentions to end the civil war. When Pastrana offered a demilitarized zone the size of Switzerland to the FARC in the coming weeks before a negotiation scheduled for January, the Colombian right screamed. Pastrana, still heavily supported by Clinton, pushed on.

Just before the scheduled peace talks, the FARC broke off the negotiations, claiming the GOC was not doing enough to curb the paramilitary forces, which were running amuck causing the FARC significant trouble despite the peace negotiations. Again, many Colombian politicians cried foul, claiming peace was not the solution. Still Pastrana held Clinton's ear and had his support. Through backdoor channels, he managed to set the peace talks back on track, with a new round of negotiations scheduled for early May, 1999.

Nevertheless, FARC demands for peace were steep, and Pastrana was not in a strong position to deliver. First, in exchange for ending their insurgent war, the FARC demanded political representation, and some 30% of elected seats in the Colombian Congress. Second, they demanded reform of the Colombian military, allowing for the creation of "Bolivarian" type units, which would reintegrate but not disarm or demobilize.³⁷

³⁷ Latin America Weekly Report, "Pastrana and Marulanda Set Date for Colombian Peace Negotiations," Intelligence Research Ltd., May 4, 1999.

The delicate nature of Colombian politics precluded that 30% representation of any new party would require a momentous, unprecedented effort. The traditional stubbornness of Colombia's armed forces would dictate any consensus among the generals, who were against peace and not inclined to share rank and file with their former enemies. Finally, paramilitary forces and drug mafia assassins would be sure to significantly shorten the life of any left-wing politician representing the FARC. For that there was precedent.³⁸

By December, 2000, after extending the existence of the FARC demilitarized zone six times President Pastrana was near the end of his ideological rope. For over a year, the peace talks had been attacked from nearly all sides. The paramilitary forces continued to attack FARC posts, more than once forcing the FARC from the negotiations. Colombia's other insurgency, the ELN, engaged in a series of news-making moves, including cutting the power at Pastrana's presidential palace, to force the GOC into peace negotiations with them. Finally, meetings between Colombian military officers and paramilitary political leader Carlos Castaño incensed FARC commanders, who claimed there was not enough political will for peace in Bogotá.

Pastrana could not control paramilitary raids. Additionally, he signed off on the latest incarnation of George H.W. Bush's Andean Initiative, when Plan Colombia became law in early 2000, further escalating US presence in Colombia. FARC commanders did not well receive Plan Colombia. The combination of paramilitary attacks on one side and increased US presence on the other signaled to FARC command the GOC was not serious about peace. It seemed the only politician still serious about peace with the rebels was Pastrana in December, 2000. Even Clinton had become less public about his views on the peace process. His top drug policy bureaucrat General Barry McCaffrey, had gone so far as

³⁸ Duzán, 71.

saying in a USG report that despite Pastrana's efforts, the FARC had seen a 30% increase in military strength because of the existence of the demilitarized zone.³⁹ The Colombian military agreed.

Pastrana continued to work for peace by extending the demilitarized zone to January 31, 2001. Pastrana then extended the zone another four days, asking FARC leader Marulanda to meet with him in the first week of February, 2001. Marulanda replied affirmative, and a meeting was set. The two men met for the third time on February 8. The event was little more than a photo opportunity, as Marulanda was still worried about the paramilitaries, with Pastrana needing a solid commitment before peace negotiations would formally resume. At the time, Marulanda was quoted saying, "hope is the last thing to go," and by the end of the two-day talks, the rebel group had agreed to re-enter peace negotiations.⁴⁰

In Washington, a new administration colored its relationship with the GOC when it refused to sit at the table with the FARC after Pastrana made a state visit to the White House. At the time, it was clear to Pastrana that he would need the presence of his US allies at the table if real peace could be achieved. Since the conception of the Andean Initiative the USG had all but declared war on the FARC. It was clear to Pastrana that the moment for peace was now, and he needed Bush's help. Despite his efforts, the current Bush administration refused to join negotiations with the FARC until those FARC members believed responsible for the death of three US citizens in 1999 were brought to justice.⁴¹ In one move, the USG crippled Pastrana's momentum; at such a critical moment, the USG demanded the impossible. Clearly Pastrana was not able to meet its demands.

³⁹ Latin American Regional Reports: Andean Group, "Pastrana gives Peace Process a Six-Week Extension After FARC Warning," Intelligence Research Ltd., December 12, 2000.

⁴⁰ Financial Times Information, "Colombia-Peace Pastrana Welcomed by FARC Leader Marulanda," EFE News Services, February 8, 2001.

⁴¹ Tom Carter, "Pastrana: US Role Aids Peace; Urges Bush to Meet with Colombian Rebels," The Washington Times, February 27, 2001.

President Bush declared that Colombia's civil war was a matter for Colombians to resolve, but in the same statement promised US assistance "not only to help Colombia, but help our own country."⁴² Pastraña again visited the US in October. The peace negotiations had stalled when the FARC unilaterally pulled out. Bush again denied Pastraña. On January 10, 2002, a beleaguered Pastraña declared that the peace talks had failed, claiming the FARC had not upheld their end of the deal. In response, the FARC claimed the GOC was lying, but displayed interest in peace negotiations and offered a cease-fire in a formal communiqué to Pastraña.

Indignant with the rebel demands, Pastraña did not accept them warmly, but did not reject them out of hand. Fearing complete collapse of the peace negotiations, the United Nations sent a special envoy, James Lemoyne, who persuaded Pastraña to give another few days to the negotiations. After two days of negotiations with FARC commanders, Lemoyne delivered a 14-point offer from the FARC, but Pastraña rejected the document, claiming that all the points had been previously agreed upon. At midnight on January 12, 2002, Pastraña declared that the FARC had 48 hours to leave the demilitarized zone, or face the Colombian military.

The FARC communicated it would again sit down with the GOC, accepting guarantees for safety, four hours before it was to leave the demilitarized zone.⁴³ Thanks to heavy international mediation led by the UN, the peace talks were back on track, but Pastraña's desire for a multilateral cease-fire proved to be too difficult to achieve. At the very moment the peace negotiations were balanced to fail or succeed, the

⁴² Tom Carter, "Bush Declines Role in Talks with Rebels; Tells Pastraña Peace is Internal Affair," The Washington Times, February 28, 2001.

⁴³ Xinhua News Agency, "Colombian Gov't, FARC Rebels to Continue Peace Talks: Pastraña," Xinhua General News Service, January 15, 2002.

FARC clashed with Colombian armed forces in the north. Colombian officials seized explosives and detonators, and many rebels were killed. In response, Pastraña claimed, "neither Colombia, nor the international community understand how, in the most critical moment of the peace process, FARC commit massacres and attack towns."⁴⁴

On February 20, 2002 President Pastraña formally broke peace negotiations with the FARC after it hijacked a commercial airliner and kidnapped a Colombian senator. The FARC did not claim responsibility, nor did they denounce it. The FARC allegedly kidnapped presidential candidate Ingrid Betancourt three days later. Pastraña, finally admitting defeat was quoted saying, "No one believes in [the FARC's] willingness to reach peace."⁴⁵

Pastraña's uphill battle was lost. Following his announcement, the UN, EU, and US all supported his decision to end peace talks with the rebel forces, by then declared terrorists by the USG Department of State. The Bush administration went further to announce it would increase funding and military aid to Colombia in the coming fiscal year.⁴⁶ Most importantly, it publicly declared for the first time it would begin sharing with the GOC intelligence it continued to gather on the FARC, pursuant to a presidential decree Bush had signed in the wake of the September 11 terrorist attacks. At the beginning of 2003 there was little room for peace in Colombia within an international climate of fear, war, and "zero tolerance."

Like his predecessor, Alvaro Pastraña, Alvaro Uribe won the Colombian presidency vowing to end the Colombian civil war. Unlike Mr. Pastraña, President Uribe does not believe peace negotiations will

⁴⁴ Deutsche Presse-Agentur, "Pastraña Warns of need to Move Forward 'Rapidly'," Deutsche Presse-Agentur, January 17, 2002.

⁴⁵ Facts on File World News Digest, "Colombia: Pastraña Cuts off Peace Talks with FARC; Other Developments," Facts on File, February 20, 2002.

⁴⁶ Military aid to Colombia in 2003 and 2004 was set at US\$862 mn and US\$889 mn respectively.

bring an end to war in Colombia. To date, his efforts have been largely confrontational. He has taken the fight to the FARC unlike any other Colombian president before him, and in the present climate of international terrorism and President Bush's war doctrine, he has received unprecedented military support from the USG.

Since President Uribe has come to office, the USG has made significant steps to publicly support his policies. Unlike a long line of presidents before him, Uribe demonstrates impeccable integrity and resistance against bribery and corruption. His efforts have won him praise from a host of USG organizations, including the DEA. Its Colombian chief, Leo Arreguin, declared on November 3, 2003 that Colombia is no longer a "narco-democracy," and that Uribe is doing an excellent job, demonstrating that more Colombian criminals have been extradited under Uribe's watch than any other Colombian president.⁴⁷ Yet there is a price for such praise and support. Even now, as Uribe tries to salvage all but failed disarmament talks with the paramilitary forces, he is expected to communicate with the Bush administration before he makes a move.⁴⁸

Like his father, President Bush has significantly escalated US intervention in Colombia. Today USG intervention is as much justified to stop the drug trade as much as it is to end terrorist insurgencies. As a result, USG policy has shifted by not only sharing intelligence with GOC officials, but also allowing US military aid to freely flow toward fighting Colombia's terrorist groups, the FARC, ELN, and AUC.

⁴⁷ Deutsche Presse-Agentur, "DEA afirma que Colombia ya no es una "narcodemocracia," Deutsche Preese-Agentur, November 3, 2003.

⁴⁸ Adam Isacson, Senior Associate Center for International Policy, interview with author, 2/2/04

War has been escalated in Colombia while solutions for negotiations, development, and peace have received less attention. If Uribe and Bush are both reelected, Colombia may very well see its situation worsen before any significant signs of improvement break the horizon.

- Analysis: A Worsening Situation -

The current "War on Drugs" thus far has been a supply-side effort. Aerial fumigation efforts, coordinated by the US Department of State (DOS) in cooperation with the Colombian National Police since 1995, have played a central role. Yet fumigation programs have seen insignificant results.⁴⁹ Interdiction and law enforcement operations yield periodic success. In concert with fumigation, these supply-side efforts seek to drive up the domestic price of cocaine, thereby reducing demand. Despite arrests and seizures "availability of illicit drugs in the United States has not been materially reduced."⁵⁰ After thirty years of working toward raising price to reduce demand, street prices for heroine and cocaine are at all time lows.⁵¹

Fumigation programs net insignificant success while enraging legitimate farmers and endangering precious biodiversity.⁵² Efforts to interdict drug shipments and arrest Colombian drug dealers in the past have been "counterproductive."⁵³ Drug organizations are now harder to detect and dismantle. Even now, as the DEA and CNP work to destroy the Norte de Valle mafia, other mafias await promotion. They grow stronger, even as the GOC continues to struggle with corruption, a judicial system strapped with

⁴⁹ General Accounting Office, "Drug Control: Coca Cultivation and Eradication Estimates in Colombia," Report GAO-03-319R, January, 2003, 5.

⁵⁰ General Accounting Office, "Major Management Challenges and Program Risks: Department of State," Performance and Accountability Series, Report GAO-03-107, January 1, 2003, 7.

⁵¹ Ted Galen, Bad Neighbor Policy: Washington's Futile War on Drugs in Latin America. New York: Palgrave Macmillan Ltd (2003), 6.

⁵² See Appendix B.

⁵³ Joe Toft, former DEA Bogotá Station Chief, 1990-1994, interview with author, March 11, 2004.

inefficiencies, and little political will for the necessary sacrifice to truly address the root causes of poverty, famine, sickness, internal displacement, and a host of human rights atrocities. In the face of such a magnanimous problem, the best policy the USG can produce is housed within the modern incarnation of President Bush's (1990-1994) Andean Initiative, based on President Reagan's initial push into Colombian affairs during the Cold War.

Plan Colombia is the culmination of over thirty years of tentative and experimental foreign policy to curtail the flow of drugs into the United States. It has existed legally since 2000, and it already demonstrates a need for revision. The "War on Terrorism," and aggressive US military assistance policy toward Colombia, has only blurred an already complex relationship between the GOC and US policy makers. USG focus must change to reflect the very real threat powerful drug organizations pose to Colombia, her neighbors, and the Western Hemisphere.

The current USG policy has prolonged and deepened US involvement in Colombian affairs. It has escalated conflict; it has incurred social and environmental costs; and, it has produced limited success to show for all the Colombian and American lives sacrificed to save Colombia from herself in the name of United States national security.

Presidents Uribe and Bush see eye to eye on the tactics necessary to win the so-called wars on drug and terror. They believe a military solution is the only means to bring about peace in Colombia and end the drug trade. They are right to think increasing the military might of Colombia's armed forces will make it harder for the FARC to succeed in toppling the GOC. But they are wrong to think a strong military in Colombia will completely eradicate the FARC and ELN, two rebel forces that have perpetuated a

guerrilla war for over three decades and a long line of Colombian and American presidential administrations.

Rebel military power and numbers may well decline, but as long as the drug trade exists, so will the FARC. As long as the proliferation of illegal arms continues so will the FARC. The FARC will never surrender, nor will the Colombian army be able to completely eradicate it. The current military quagmire can end only with complete US invasion and war. With sovereignty at stake, the Colombian government will never let that happen.

Meanwhile the paramilitaries will only grow in number and strength as close ties to Colombian drug mafias ensure hundreds of millions of dollars in profit. The current efforts, led by the GOC, to disarm some of Colombia's paramilitary forces have all but failed. There are still many paramilitary forces still willing to take the fight to the FARC, protect drug mafia farms and labs, and destabilize the Colombian countryside through random acts of violence. Carlos Castaño has lost nearly all control over his units. Even now, his enemies have stepped-up efforts to kill him.⁵⁴

With the GOC on the offensive against the FARC, and some paramilitary groups discussing demobilization, disarmament, and reintegration, the dozens of small drug mafias that now punctuate the Colombian countryside continue working, business as usual. Sales have been better, but they know there will always be demand. Russian and Chinese mafias are already engaged. There are reports that drug trade earnings have attracted terrorist organizations. Brazil's recent rise to become the second largest world consumer of cocaine has opened a new market. Across South America, and the world, Colombia's problems continue to spread social malaise. US policy pours more fuel on the fire.

⁵⁴ Stratfor, Did AUC Chiefs, *ibid*.

Colombia suffers from a forced military solution to a social problem. Each battle takes negotiators one step away from the table. It sees the USG poised to deepen its commitment to erase what is now considered a regional terrorist threat. By labeling the FARC and ELN as terrorists, the USG has painted itself into a corner. On the one hand, it will never negotiate with terrorists. On the other, it will never escalate its military presence to the level necessary to kill every Colombian rebel soldier.

Present day Colombia sees drug organizations stronger than ever, supplying the world with a majority of cocaine and the US with increasing amounts of heroine. Absolutely speaking, fumigation efforts are a failure. Decapitation strategies have only made matters worse, as hydra effects have ensured mafia proliferation and adaptation in response to DEA and CNP efforts to hunt down their bosses. Drug trade profits exceeding Colombia's federal budget have attracted a host of international criminals, further complicating an already complex situation.

In the face of all the clear signs of systemic failure of Plan Colombia, there is no political will to work against the bureaucratic inertia that is destroying the livelihood of Colombian farmers, Colombia's precious biodiversity, and any hope Colombians might have for peace and prosperity. An observation of present-day Colombia draws a sharp contrast between USG policy that is obviously failing, and the social problems in Colombia – unemployment, poverty, lack of education and health care – obviously worsening.

- Conclusions -

The United States Government (USG) wages a war in Colombia it cannot end with military might, it cannot lose to suffer consequences at home, or abandon with feigned disinterest. A worsening security situation in Colombia carries threatening implications for South America and many pockets of the world, where the appetite for cocaine and heroine steadily increases. Yet the United States and the Colombian government have formulated and implemented erroneous policy that focuses on the symptoms of Colombia's cocaine production, not the fundamental economic causes that drive the cocaine trade. Demand in the United States, Brazil, and elsewhere in the developed world is a fundamental reason why cocaine continues to be produced in Colombia. Nevertheless, a majority of US taxpayer revenues appropriated to fight the so-called drug war fund military strategies and supply-side reduction, not development and demand-side policies.⁵⁵

Such policies focus on demand-reduction strategies, chemical controls, anti-money laundering efforts, and achievable development goals; they promote sub-regional collaboration and increased international involvement, led by the United Nations; they work toward peace through negotiation; and, they give voice to the marginalized society that has lost faith in the Bogotá elites who run Colombia. Until US and Colombian politicians make the necessary political sacrifices to reduce demand, disarm and demobilize paramilitary forces, bring Colombia's rebel armies to the negotiating table, and increase international political and financial involvement, there will be no victory.

⁵⁵ Adam Isacson and Eric Stoner, "Highlights of the Bush Administration's 2005 Latin American Aid Request," Center for International Policy memorandum, February 19, 2004.

For over twenty years, both the USG and GOC have engaged in policy that has failed time and time again. Plan Colombia will fall under scrutiny as politicians in Washington and Bogotá discuss its future at the end of its planned existence, due in September of 2005. By now it is abundantly clear that attacking the supply side does not work, that increased militarization leads to more violence, and that continuing to engage in unilateral policy discussions will not bring the US and Colombia out of its current rut of failure. Undoubtedly Plan Colombia will continue. Hundreds of millions of US taxpayer dollars will be allotted to ensure US national security and continue the war against terrorism in the Western Hemisphere.

September, 2005 will be a month of reckoning, but it must not be a month of complacency and ambivalence. There are more cost-effective, less violent means to bring about a long overdue conclusion to the war on drugs. Real political sacrifice begins with recognizing that this is not a war on drugs only to be fought in Colombia. There is no war on "drugs." If its intents were to focus on drugs, the USG would focus on soaring domestic demand, not poisoning subsistence farmer plots in Colombian rainforests. It is about time our leaders embrace the truth and begin working on solutions for peace and development, not for spraying Colombia with herbicide or prolonging her wars. Without significant modification to Plan Colombia in 2005, future generations are sure to blame the USG, again, for promoting policy based on misunderstanding, reactionary efforts, and poor future planning.

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Appendix A

Pablo's War: 1981 to 1993

On November 12, 1981, members of the M-19 rebel force kidnapped Martha Nieves Ochoa, sister of Jorge Luis Ochoa, one of the top members of Escobar's Medellín mafia. By then, the Medellín mafia was strong, not to be harassed. M-19 demanded US\$15 million in ransom. In response, Jorge Luis, with Pablo Escobar and Escobar's associate Carlos Lehder, a German-Colombian who helped set up transport routes from Colombia to the US, amassed a multi-million dollar war chest to fund Colombia's first militia "self-defense" group sponsored by drug lords. It was called Muerte A Sequestadores (MAS), "death to kidnappers" in Spanish. MAS worked to systematically hunt down M-19 guerrillas until enough had died to ensure the release of Martha Nieves Ochoa.

Until then, small militias had been organized, armed, and financed by rural land owners, such as the Ochoa brothers, who used them to protect the Medellín mafia's coca leaf plantations. In other areas, necessary negotiations were made with the revolutionary forces, as demand for more coca leaves forced the Medellín mafia, and its subsidiary organizations, to use rebel controlled territory. The tax levied by the FARC was always a contested topic between Medellín bosses and FARC leaders. FARC raids on drug mafia labs exacerbated relations⁵⁶ These negotiations did not help relations, already strained by opposed ideologies. Once MAS formed, it never disbanded. It was simply too easy to train, arm, and pay thugs to do the work revolutionaries would charge much more to complete.

MAS was a significant step toward rural violence, but cooperation amongst Colombian drug lords to make money, defend their turf from guerrillas and the national police, and enjoy life spending the

⁵⁶ Duzán, 61.

exorbitant amounts of earnings marked these relatively peaceful times. Compared to the violence that rocked Colombia in the late forties and fifties, Colombia was relatively peaceful in the early 1980s.

In early 1982, Pablo Escobar's association with the Colombian drug trade was still relatively unknown. There were rumors, especially in Medellín as MAS continued to operate, but hard evidence had not yet surfaced. Behind the scenes, drug bosses pulled strings in Bogotá from Medellín. Former Colombian President Barco (1986-1990) described this period of Colombian drug trafficking as the "amusement," the first of three phases:

Drug trafficking has had three phases in Colombia. The first phase was the 'amusement.' It was the period of the grand orgy with the drug dealers when everybody was in bed with them and nobody paid any attention. That was the phase of generalized tolerance when the violence was only registered in internal squabbling among them.⁵⁷

Pablo Escobar wanted more than material wealth. Born the son of a servant, Pablo sought power and recognition. He set up charities such as "Medellín Without Slums," which financed the construction of schools and stadiums in the slums surrounding Medellín. He opened his ranch, Puerto Triunfo, to Medellín locals, making it an exotic zoo and amusement park. These and other philanthropic activities, such as constructing housing for hundreds of impoverished families, bought Pablo fame and recognition in Medellín. To this day, there are still those in Medellín who refuse to believe Pablo was anything more than a nice guy.

Outside his home town, he finally reached the social stratosphere in 1982 when he earned himself a seat in the Colombian House of Representatives as an alternate delegate of the Liberal Renewal party from Antioquia state. Such a position afforded Pablo something he couldn't buy, congressional immunity

⁵⁷ María Jimena Duzán, Death Beat: A Colombian Journalist's Life Inside the Cocaine Wars, trans. and ed. by Peter Eisner. (New York: Harper Collins, 1994), 87-88.

from criminal indictment. He had ascended from rural peasantry to rub elbows with Bogotá elite. It seemed he was untouchable. At the time, Escobar had not been proven a criminal, and in a Colombia where mistrust of the ruling elite was widespread, anyone with enough money and rhetoric could find the support to win a seat in Congress.⁵⁸

After Pablo, and Carlos Lehder, his "business associate" and fellow Congressman, made a flamboyant series of speeches against extradition in Colombia, a leading political debate at the time, Carlos Ledher's nefarious escapades became a matter of public knowledge once he admitted to being a drug dealer in an interview featured on *Caracol*, a popular radio network. Although the GOC initiated investigations into Ledher's business activities, he could not be charged. All his criminal activity had happened outside of Colombia.⁵⁹

Popular Colombian weekly magazine, *Semana*, did a cover story on Lehder, in the wake of a media uproar over Ledher's drug trafficking admissions. It was their second cover story on Colombia's "new" elite. The first had showcased Pablo Escobar as "the Robin Hood of Medellín." Colombia's media continued to pry into the fascinating lives of Colombia's newest rich. Yet no one spoke of the elephant in the room. It was quite clear, then as it is now, how these men made money. The earnings were so vast; money was not counted but weighed. One million dollars equals 20 pounds of one hundred dollar notes.⁶⁰ As described by one venerable Colombian journalist, María Jimena Duzán, no one cared.

At that time, the name Escobar meant little to American and Colombian authorities. Neither the government paid much attention to the activities of the dealers or to the alliance among the death squads, their supporters in the military, and the drug dealers. In the United States in the 1980s, all attention was focused on the Colombian Left, which seemed to pose the greater threat to

⁵⁸ Duzán, 20.

⁵⁹ Duzán, 22.

⁶⁰ Miami Herald, "The Medellín Cartel: America's Cocaine Connection," Miami Herald, 29 November, 1987, sec. A.

forces that still saw communism as the great overriding challenge to world stability – and US interests.⁶¹

Escobar's new found privileged position and national fame galvanized the ranks of upper class Colombians when he tried to become a member of Medellín's exclusive Union Club. They denied his application, and brought upon themselves the first of many waves of revenge Pablo would exact on targets that displeased him.

One such target was Senator Luis Carlos Galán, a Colombian presidential hopeful in the 1982 elections who trumpeted the ideals of a new breed of Colombian progressive thinkers and called it "New Liberalism." Galán blew the whistle on Pablo and his Medellín mafia when he said, "I reject the support of certain persons whose fortunes are of questionable origin," during a campaign speech in Rionegro Plaza, in the center of Medellín. The resulting public reaction forced Pablo and his associates out of Colombian public life. Escobar's disgraceful removal from Colombian politics happened as quickly as his glorious appearance. Retribution was deadly and enduring. Seven years later, Escobar would have his revenge on Galán. His death would only escalate Pablo's war.

Pablo's fall from Grace marks the beginning of the second and third phases of Colombian drug trafficking, according to former Colombian President Barco.

The second phase was the 'discovery' period when drug bosses no longer could depend on that more-or-less peaceful coexistence and instead began to use violence as a means to defend their business. That was when they first realized an enemy they did not have before: New Liberalism. The third phase began when the drug bosses wanted to take over the state. That is the period when I happened to become president.⁶²

⁶¹ Duzán, 23.

⁶² Duzán, 88.

The August 18, 1989 assassination of Senator Carlos Galán, the man who catalyzed Pablo's fall from fame and leader of the New Liberalism movement, forced then President Barco to declare an all out war on Escobar. In one decree, made on the same day Galán died, Barco condemned the Colombian state to war with the drug organizations.

The criminal organizations and the drug dealers have unleashed a wave of murder and death. They have attacked representatives and leaders of every sector of the country and all its institutions. Judges, political leaders, soldiers, citizens, and public officials have been victims of this barbarity. The violence affects us all. It is not an offensive against the government or against the system of justice. It is a war on the nation. And for that reason, the nation must give its answer.⁶³

In the same decree, Barco reinstated extradition. It had been previously overruled by intimidated Supreme Court justices. This time, extradition was solely in the hands of the president, and Barco was intent on using it as a tool to rid his country of drug bosses.

Pablo Escobar initiated a de facto war against the state of Colombia that lasted for ten years. It began for two reasons. He had been rejected by the very elite he had worked so hard to impress and emulate. For that reason, he wanted to prove who was the stronger by assassinating key public individuals who had spoken against him, including Colombian Senator Rodrigo Lara Bonilla, who had slandered Pablo during a Congressional secession in 1983. Second, Pablo feared extradition to the US, so he did everything in his power to intimidate the Colombian government. He fought against extradition to the US because it was a country where he could not buy politicians, policemen, or judges. While the intricacies of this war are beyond the scope of this paper, some conclusions are worth note.

The nature of the war between Pablo Escobar and the state of Colombia redefined terrorism in the Western Hemisphere. The level to which Escobar, and his associates in the various militias and

⁶³ Duzán, 148.

paramilitary groups on his payroll, escalated the violence against the state of Colombia brought the government to its knees. As a result, he was able to manipulate by force his will over the state of Colombia, as evidenced by his negotiated settlement in 1992 with President Gaviria's administration (1990-1994) to stop the violence in exchange for living under house arrest in a self-styled prison called "La Catedral," or The Cathedral. Above all else, Pablo revealed both the weak stomach Colombian politicians had for violence, and how easy it was to buy political support, even in hiding.

Second, Escobar's forced movement into hiding drove a wedge between him and his former associates, Jose Rodrigo Gacha and the Ochoa brothers. The resulting in-fighting eventually destroyed the Medellín mafia, forcing all the drug bosses under Escobar to realign loyalty or disappear. New loyalty aligned itself with the rising power structure based in Cali, run by the rival Cali mafia. This new organization, more than the Medellín mafia, relied on paramilitary support to protect coca fields, chemical shipments, production labs, and product transport. Since the formation of MAS, the trend bringing paramilitaries and drug bosses closer together has only accelerated, especially considering the Medellín and Cali mafia bosses' mistrust of all revolutionary forces combined with their powerful influences within Colombian drug trafficking organizations.

Third, during Pablo's war against the Colombian state, the USG became more and more involved in Colombian National Police efforts to capture and kill Pablo Escobar. From the DEA, the FBI, and the CIA to, eventually, the Army's elite Delta Force unit, USG military involvement escalated dramatically during the 1980s and early 1990s. A direct result of US military involvement is the evolution of Colombia's National Police forces away from traditional policing and prevention services to military

tactics, including raids, assaults, and occupation. This is hardly the direction a national police force should take considering most Colombians do not enjoy even minimal police protection.

Finally, Pablo's rampage taught all future Colombian drug bosses that violence doesn't pay in the end. By the end of Pablo's life, in December of 1993, the US had become so involved in supporting the Colombian National Police, that it had become a respectable force. Escobar's war taught his successors that corruption through bribery is preferred, and that violence against the state and against one another should be thought over very carefully.

In 1989, no one knew Pablo's war would drag on for another four years. Even with the help of the DEA and the US Army's elite Delta Force unit, the Colombian National Police was unable to isolate and corral Escobar. He was eventually killed because former members of his Medellín mafia, including the Ochoa brothers and Jose Rodriguez Gacha, and a budding paramilitary officer, Carlos Castaño, decided it was time to get rid of Pablo.

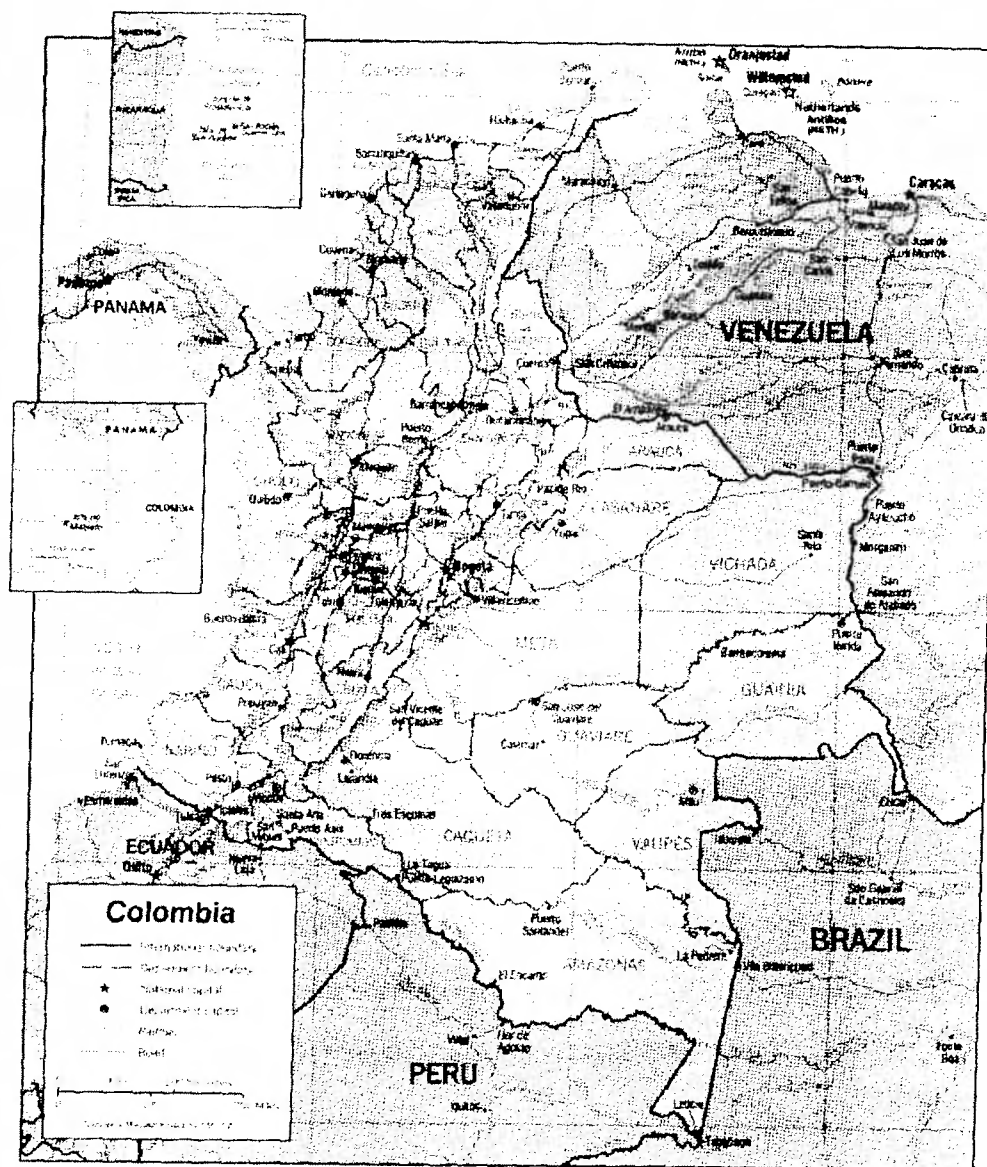
They had decided Pablo's bloody war was bad for business, and began using ruthless terror tactics against Pablo to unravel his support network. Their terrorist group, known as Los Pepes, short for "people persecuted by Pablo Escobar," has received credit for fighting fire with fire, and escalating the war against Pablo to a level the GOC and USG officials simply could not. By the spring of 1993, Los Pepes killed as many as six people a day associated with Escobar, effectively isolating one of Colombia's most ruthless, powerful men.⁶⁴

⁶⁴ Mark Bowden, Killing Pablo: The Hunt for the World's Greatest Outlaw (New York: Penguin Books, 2001), 188.

Pablo Escobar died on December 2, 1993, alone. He had been abandoned long before by his former associates, who chose not to join Pablo in his fight against the GOC. Nevertheless, Pablo's war succeeded in bringing down the Ochoa brothers, all jailed, Jose Rodriguez Garza, killed by Pablo, and Carlos Lehder, who was extradited to the US on charges of importing cocaine to the US and indicted for life imprisonment plus 130 years.⁶⁵

⁶⁵ Gabriel García Márquez, News of a Kidnapping trans. by Edith Grossman (New York: Alfred A. Knopf, 1997), 22.

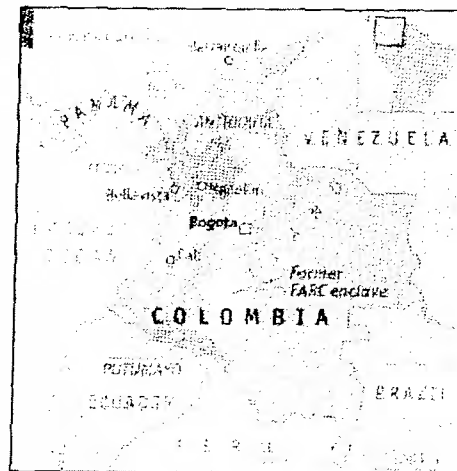
Appendix B – Maps



Proposed ELN Demilitarized Zone



FARC Demilitarized Zone



Fumigation Efforts

